

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Masaji ISHIGURO, et al.

SERIAL NUMBER: 08/722,144

FILED: October 16, 1996

FOR: PENEM DERIVATIVES AND ANTIMICROBIAL AGENT CONTAINING THE SAME

RESPONSE TO NOTICE OF MISSING REQUIREMENT UNDER 35 U.S.C. 371
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Responsive to the notification dated November 19, 1996, and in accordance with the provisions of 35 U.S.C. 371, Applicant's submit herewith a Rule 63 Declaration.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully submitted,

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27 Rec'd 15 OCT 1996 12 DEC 1996

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PATENT COOPERATION TREATY
U.S. Receiving Office

Re: Masaji ISHIGURO, et al.
Serial No. 08/722,144
Filing Date: October 16, 1996
For: PENEM DERIVATIVES AND
ANTIMICROBIAL AGENT CONTAINING THE SAME
Our Ref: 2292-038-0 PCT

SIR:

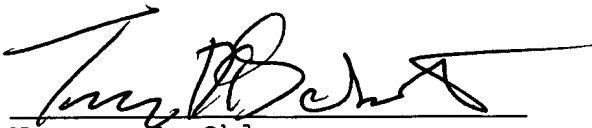
Attached hereto for filing are the following papers:

Response to Notification of Missing Requirements
Declaration, Power of Attorney and Petition
Copy of Notification of Missing Requirements

Our check in the amount of \$ - 0 - is attached hereto. If any variance exists between the amount enclosed, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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27 Rec'd FCT/PTO 12 DEC 1996

UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark C

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URGENT

08-722,144

U.S. APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

08/722.144

ISHIGURO

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22920380

INTERNATIONAL APPLICATION NO.

5611

PCT/JP96/00366

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I.A. FILING DATE

PRIORITY DATE

02/19/96

02/17/95

DATE MAILED:

11/19/96

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark

Office as

☒ a Designated Office (37 CFR 1.494),☐ an Elected Office (37 CFR 1.495);☒ U.S. Basic National Fee.☒ Copy of the international application in:☒ a non-English language.☐ English.☒ Translation of the international application into English.☐ Oath or Declaration of inventors(s) for DO/EO/US.☐ Copy of Article 19 amendments.☐ Translation of Article 19 amendments into English.☐ The International Preliminary Examination Report in English and its Annexes, if any.☐ Translation of Annexes to the International Preliminary Examination Report into English.☐ Preliminary amendment(s) filed _____ and _____☐ Information Disclosure Statement(s) filed _____ and _____☐ Assignment document.☐ Power of Attorney and/or Change of Address.☐ Substitute specification filed _____☐ Verified Statement Claiming Small Entity Status.☒ Priority Document.☒ Copy of the International Search Report ☐ and copies of the references cited therein.☐ Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☒ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917☐ Notice of Defective Translation☐ PTO-875

Eless D. Reed

Paralegal Specialist

FORM PCT/DO/EO/905 (September 1996)

Telephone: (703) 305-3659

RECEIVED IN FOREIGN FILING

DATE: 11-29-96

TIME: 5:17